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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sorrells *et al.*

Appl. No. 09/476,092

Filed: January 3, 2000

For: **Analog Zero IF FM Decoder and
Embodiments Thereof, Such As The
Family Radio Service**

Art Unit: 2685

Examiner: Mehrpour, N.

Atty. Docket: 1744.0250001

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Second Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Supplemental Information Disclosure Statement filed on June 4, 2002 in connection with the above-captioned application.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

Applicants provide the following comments regarding the documents:

Documents AI48 and AA49 were cited by an Examiner in co-pending U.S. Patent Application Serial No. 09/567,963, filed May 10, 2000, entitled "Frequency Synthesizer Using Universal Frequency Translation Technology," directed to related subject matter.

Document AB49 is a co-owned patent which is directed to related subject matter.

Document AC49 was cited by an Examiner in co-pending U.S. Patent Application Serial No. 09/489,675, filed January 24, 2000, entitled "Bar Code Scanner Using Universal Frequency Translation Technology for Up-Conversion and Down-Conversion," directed to related subject matter. Also cited in said Office Action was U.S. Patent No. 6,091,940, which was cited in Applicants' Information Disclosure Statement filed on June 4, 2002 in connection with the above-captioned application.

Documents AL19, AM19 and AD49 were cited in an International Search Report in PCT Appl. No. PCT/US01/08969, filed March 22, 2001, entitled, "Integrated Frequency Translation and Selectivity with a Gain Control Functionality, and Applications Thereof," directed to related subject matter. Also cited in said Search Report were U.S. Patent Nos. 4,888,557 and 5,801,654 and PCT Publication Nos. WO 96/02977 and WO 96/39750, which were cited in Applicants' Information Disclosure Statement filed on January 11, 2002 in connection with the above-captioned application.

Document AE49 was cited by an Examiner in co-pending U.S. Patent Application Serial No. 09/376,509, filed August 18, 1999, entitled "Method and System for Ensuring Reception of a Communications Signal," directed to related subject matter.

Document AF49 is a copy of co-pending U.S. Patent Application Serial No. 09/476,091, filed January 3, 2000, entitled "Image-Reject Down-Converter and Embodiments

Thereof, Such as the Family Radio Service," directed to related subject matter. In the copy provided, the claims are shown as elected on February 20, 2002.

Document AG49 is a copy of co-pending U.S. Patent Application Serial No. 09/476,093, filed January 3, 2000, entitled "Analog Zero IF FM Decoder and Embodiments Thereof, Such as the Family Radio Service," directed to related subject matter. In the copy provided, the claims are shown as amended on September 5, 2001.

Document AJ20 was cited in an Office Action in co-pending Japanese Patent Application Serial No. 2000-577,764, filed June 21, 2000, entitled "Applications of Universal Frequency Translation,". Also cited in said Office Action was Japanese Patent Publication No. 58-133004, which was cited in Applicants' Supplemental Information Disclosure Statement filed on June 4, 2002 in connection with the above-captioned application.

Documents AK20, AL20, AJ21, AK21, AL21, AP56 and AQ56 were cited in an International Search Report in PCT Appl. No. PCT/US01/12086, filed April 13, 2001, entitled, "Frequency Converter," directed to related subject matter. Also cited in said International Search Report was U.S. Patent No. 5,844,449, which was cited in Applicants' Information Disclosure Statement filed on January 11, 2002 in connection with the above-captioned application.

Documents AM21 and AJ22 were cited in by an Examiner in co-pending Japanese Patent Application No. 2000-577,765, filed June 21, 2000, entitled "Method and System for Ensuring Reception of a Communications Signal," directed to related subject matter. Also cited by said Examiner were Japanese Patent Publication Nos. 56-114451, 8-32556, 8-13924 and Miki, S. and Nagahama, R., *Modulation System II*, Common Edition 7, Kyoritsu Publishing Co., Ltd., pp. 146-154 (April 30, 1956), which were cited in Applicants'

Information Disclosure Statement filed on January 11, 2002 in connection with the above-captioned application.

The other documents listed do not fall into any of the above categories.

This statement should not be construed as a representation that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. This Information Disclosure Statement is being filed before the mailing of a first action on the merits. No statement or fee is required.
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☒ c. Attached is our Form PTO-2038 Credit Card Payment Form in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of

Allowance, but before payment of the Issue Fee. A separate Petition to the Group Director, requesting consideration of this Information Disclosure Statement, is concurrently submitted herewith, along with our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i).

- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 5. Concise explanations of relevance of non-English language documents AJ20, AK20, AL20, AK21, AM21 and AJ22 appear below:

Document AJ20 (JP 60-130203) appears to describe a frequency converter. A copy of the English-language abstract of document AJ20 is enclosed as document AO56 on the attached PTO-1449.

Document AK20 (DE 196 27 640 A1) appears to describe a mixer. Document AK20 is a counterpart German application of U.S. Patent No. 5,680,078, which was cited in Applicants' Information Disclosure Statement filed on January 11, 2002 in connection with the above-captioned application.

Document AL20 (EP 0 087 336 A1) appears to describe a transistorized mixer for microwave transmitters. The granted version of document AL20 is cited as document AM20 (EP 0 087 336 B1) and contains an English-language version of the claims.

Document AK21 (FR 2 669 787 A1) appears to describe a symmetrical super high frequency mixer. A copy of the English-language abstract of document AK21 is enclosed as document AR56 on the attached PTO-1449.

Document AM21 (JP 61-30821) appears to describe a squelch device. A copy of the English-language abstract of document AM21 is enclosed as document AP57 on the attached PTO-1449.

Document AJ22 (JP 5-327356) appears to describe a frequency converter. A copy of the English-language abstract of document AJ22 is enclosed as document AQ57 on the attached PTO-1449.

- ☐ 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,


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